

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRI RIVER MEATS; NATHON  
GOETZ; AMANDA WELLS; MICHAEL  
GOETZ,

Defendants.

NO. CV-08-276-EFS

**AMENDED ORDER OF DEFAULT  
JUDGMENT, AND DECREE OF  
FORECLOSURE**

Before the Court, without oral argument, is the USAO's Application for Judgment and Decree of Foreclosure Upon Order of Default (Ct. Rec. [10](#)). Upon the USAO's motion, the Clerk of the Court entered an Order of Default on April 12, 2010 (Ct. Rec. [9](#)). On April 20, 2010, the USAO filed the motion under consideration, along with the affidavit required under Federal Rule of Civil Procedure 55.

Accordingly, **IT IS HEREBY ORDERED:**

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<sup>1</sup> This Order amends Ct. Rec. 12, page 3, line 4.

1        1. The USAO's Application for Judgment and Decree of Foreclosure  
2 Upon Order of Default (**Ct. Rec. [10](#)**) is **GRANTED**.

3        2. Judgment is **ENTERED** in favor of Plaintiff and against Defendants  
4 Tri River Meats, Nathon Goetz, Amanda Wells, and Michael Goetz in the  
5 amount of \$41,779.57 (\$38,962.17 principal and \$2,837.40 interest accrued  
6 through February 21, 2008); plus interest to accrue at the rate of  
7 \$4.8036 per day from and after February 21, 2008, to the date of  
8 judgment; plus interest from the date of judgment at the legal rate until  
9 paid in full, for costs of suit, including the filing fee allowed  
10 pursuant to 28 U.S.C. § 2412(a)(2), and other proper relief.

11        2. The debt upon which this judgment is based is secured and  
12 perfected by the following:

13            a) Security agreements dated May 25, 2005, February 24, 2006,  
14            and October 18, 2007, covering crops, livestock, supplies, and  
15            farm equipment;

16            b) Security agreements were perfected by a financing statement  
17            filed for record on May 24, 2005, as Instrument No. 2005-144-  
18            1720-6, Official Records of Department of Licensing, Olympia,  
19            Washington.

20        3. The foregoing security agreements and financing statements cover  
21 the following described property situated in Okanogan County, State of  
22 Washington:

23        1 Bailer, New Holland S-78, 1956 S/N 3607  
24        1 Swather, John Deere 880, 1971 S/N 050873  
25        1 Tractor, Massey Ferguson, TO-20, 1954 S/N 36090  
26        1 Hay Rake, John Deere 350, S/N 8454  
      1 Tractor, Fordson Super Major, S/N 08B758587

1 1 Loader, Shawnee, S/N M 2770

2 1 Harrow Bed, New Holland 1012

3 1 Bailer, New Holland 282, 1978 S/N 135309

4 1 Blade, Cherokee

5 1 Harrow

6 1 Fork, Homemade

7 1 Cattle - Beef - Bull

8 11 Cattle - Beef - Cows

9 6 Cattle - Beef - Calves

10 4. Said real estate mortgages, security agreements, and financing  
11 statements, which constitute first and prior liens upon the property  
12 described therein, are hereby foreclosed and defendants Tri River Meats,  
13 Nathon Goetz, Amanda Wells, Michael Goetz, and all persons claiming by,  
14 through, or under them are forever barred and foreclosed from asserting  
15 any right, title, or interest in and to said property, except for the  
16 statutory rights of redemption allowed by the laws of the State of  
17 Washington, and said property is hereby ordered sold in the manner  
18 provided by law with the proceeds of such sale to be applied to the  
19 expense thereof, and then in satisfaction of the sums adjudged to be due  
20 plaintiff herein.

21 5. Any party to this suit may become a purchaser at such sale.

22 6. The plaintiff shall not have a deficiency judgment in the event  
23 the sum received from the sale is insufficient to pay the judgment in  
24 full.

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2       **IT IS SO ORDERED.** The District Court Executive is directed to enter  
3 this Order and to provide copies to counsel.

4       **DATED** this 7<sup>th</sup> day of July 2010.

5  
6                               S/ Edward F. Shea  
7                               EDWARD F. SHEA  
                              United States District Judge

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